

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA,                     )  
   )  
                  Plaintiff,                         )  
   )  
                  v.                                 ) No. 4:12CR080 HEA NAB  
   )  
ELMER PERRY,                                     )  
   )  
                  Defendant.                       )

**ORDER AND SPEEDY TRIAL FINDING**

This matter is before the Court on Defendant's Motion for Additional Time to File Pretrial Motions [[Doc. #29](#)] filed on March 19, 2012. In support of the Motion Defendant stated that:

1. Counsel has not had sufficient time to review discovery and discuss motions or waiver thereof with the Defendant.
2. Counsel's time has been taken up with the preparations and trial in a matter currently in the District Court.

Defendant requested that the pretrial motion deadline previously set for March 19, 2012 be continued to March 26, 2012 and the evidentiary hearing be continued.

**Speedy Trial Finding:** For the reasons set out in Defendant's motion, the Court finds that to deny Defendant's request for such additional time would deny counsel for Defendant the reasonable time necessary for effective investigation and preparation of pretrial motions, taking into account the exercise of due diligence, and that the ends of justice served by granting Defendant's request for additional time outweigh the best interest of the public and Defendant in a speedy trial, and therefore, the time granted to Defendant to investigate and properly prepare

pretrial motions, or a waiver thereof, is excluded from computation of Defendant's right to a speedy trial pursuant to 18 U.S.C. §§ 3161(c)(1) and 3161(h)(7).

**IT IS HEREBY ORDERED** that Defendant's Motion for Additional Time to File Pretrial Motions [[Doc. #29](#)] is **GRANTED**. Defendant shall have to and including **March 26, 2012** to file any pretrial motions or waiver of motions. The government shall have until **April 2, 2012** to respond.

**IT IS FURTHER ORDERED** that the evidentiary hearing set for **March 29, 2012** shall be continued until **April 6, 2012 at 10:00 a.m.**

/s/ Nannette A. Baker  
NANNETTE A. BAKER  
UNITED STATES MAGISTRATE JUDGE

Dated this 20<sup>th</sup> day of March, 2012.